

# House File 2404 - Introduced

HOUSE FILE 2404  
BY COMMITTEE ON VETERANS  
AFFAIRS

(SUCCESSOR TO HF 2299)

## A BILL FOR

1 An Act relating to the extension of the effective date of a  
2 driver's license for a person serving on active duty in  
3 military service.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.198, subsection 1, Code 2011, is  
2 amended to read as follows:

3 1. *a.* The effective date of a valid driver's license issued  
4 under the laws of this state, held by any person at the time of  
5 entering the military service of the United States or of the  
6 state of Iowa, notwithstanding the expiration of the license  
7 according to its terms, is ~~hereby~~ extended without fee until  
8 six months following the initial separation from active duty  
9 of the person from the military service, provided the person  
10 is not suffering from physical disabilities which impair the  
11 person's competency as an operator, and provided further that  
12 the licensee shall furnish, upon demand of any peace officer,  
13 satisfactory evidence of the person's military service.  
14 However, a person entitled to the benefits of this section  
15 who is charged with operating a motor vehicle without a valid  
16 driver's license shall not be convicted if the person produces  
17 in court, within a reasonable time, a valid driver's license  
18 previously issued to that person along with satisfactory  
19 evidence of the person's military service as provided in this  
20 paragraph.

21 *b.* The department is authorized to renew any driver's  
22 license falling within the provisions and limitations of  
23 paragraph "a", without examination, upon application and  
24 payment of fee made within six months following separation from  
25 the military service.

26 *c.* For purposes of this subsection, a United States  
27 department of defense common access card issued to a person is  
28 satisfactory evidence of the person's current military service,  
29 and a certificate of release or discharge from active duty,  
30 commonly referred to as a DD214, is satisfactory evidence  
31 of a person's previous military service and separation from  
32 active duty. A person who produces a valid driver's license  
33 previously issued to the person along with the person's  
34 common access card or DD214 shall not be required to produce  
35 any additional documentation to satisfy the requirements of

1 paragraph "a".

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EXPLANATION

3     Currently, Code section 321.198 provides that the effective  
4 date of a driver's license held by a person at the time of  
5 entering the military service of the United States or of  
6 the state of Iowa is extended without fee until six months  
7 following the person's initial separation from active duty.  
8 The person is required to furnish, upon demand of any peace  
9 officer, satisfactory evidence of the person's military  
10 service. If the person is charged with driving without a  
11 valid driver's license, the person may avoid conviction by  
12 producing in court, within a reasonable time, the driver's  
13 license previously issued to the person along with evidence of  
14 the person's military service. Form 430028, available from the  
15 department of transportation, explains the statutory provisions  
16 regarding military extensions. Pursuant to administrative  
17 rule, the department recommends that a person who qualifies for  
18 the military extension should request the form and carry it  
19 with the person's driver's license for verification to peace  
20 officers.

21     This bill amends Code section 321.198 to specify that  
22 a person's department of defense common access card is  
23 satisfactory evidence of current military service, and a  
24 certificate of release or discharge from active duty, known  
25 as a DD214, is satisfactory evidence of a person's previous  
26 military service and discharge from active duty. The bill  
27 provides that a person who produces either a common access card  
28 or DD214, along with the driver's license previously issued to  
29 the person, shall not be required to produce any additional  
30 documentation to a peace officer or to a court in order to  
31 satisfy the requirements for a military extension.